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FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Bangladesh, Iraq*, Jordan*, Nepal, Philippines and Sri Lanka: draft resolution

1997/... Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region

The Commission on Human Rights,

Recalling that the General Assembly, in its resolutions 41/153 of 4 December 1986, 43/140 of 8 December 1988 and 45/168 of 18 December 1990, affirmed the value of regional arrangements for the promotion and protection of human rights in the Asian and Pacific region,

Recalling also its own resolutions 1988/73 of 10 March 1988, 1989/50 of 7 March 1989, 1990/71 of 7 March 1990, 1991/28 of 5 March 1991, 1992/40 of 28 February 1992, 1993/57 of 9 March 1993, 1994/48 of 4 March 1994, 1995/48 of 3 March 1995 and 1996/64 of 23 April 1996,

Recalling further that the World Conference on Human Rights, in the Vienna Declaration and Programme of Action (A/CONF.157/23), emphasized that regional arrangements played a fundamental role in promoting and protecting human rights,

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*In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling resolution 45/2 adopted by the Economic and Social Commission for Asia and the Pacific on 5 April 1989,

Bearing in mind that intergovernmental arrangements for the promotion and protection of human rights have been established in other regions,

Welcoming the holding of the Colloquium on Human Rights in Manila on 16 and 17 January 1994, the first in a series of workshops to be organized by the Institute of Strategic and International Studies of the Association of South-East Asian Nations, intended, inter alia, to facilitate the process of developing a subregional human rights body for the protection and promotion of human rights in countries of the Association of South-East Asian Nations, in fulfilment of the decision of the Association to consider the establishment of an appropriate mechanism on human rights,

Recognizing the valuable contribution that independent national institutions can make in the field of human rights to the concept of regional arrangements,

Recognizing also that non-governmental organizations involved in the field of human rights have an important role to play in this process,

Welcoming the contribution to the development of regional human rights arrangements made by the fifth workshop on regional human rights arrangements in the Asian and Pacific region held in Amman from 5 to 7 January 1997, particularly the workshop's conclusions,

Reiterating that such workshops should be organized regularly, and if possible annually as proposed by the Government of the Republic of Korea and endorsed by the Commission in its resolution 1995/48,

Mindful that the agreements reached at the fifth workshop were built upon the accomplishments of previous workshops,

1. Welcomes the report of the Secretary-General (E/CN.4/1997/44) and the progress achieved in the implementation of Commission on Human Rights resolution 1996/64 of 23 April 1996;

2. Also welcomes the regional workshops on various human rights issues which have been held in the Asian and Pacific region, including the workshop held in Manila from 7 to 11 May 1990, the workshop held in Jakarta from 26 to 28 January 1993, the workshop held in Seoul from 18 to 20 July 1994, the workshop held in Kathmandu from 26 to 28 February 1996 and the workshop held in Amman from 5 to 7 January 1997;

3. Reaffirms that regional arrangements play a fundamental role in promoting and protecting human rights and that they should reinforce universal human rights standards, as contained in international human rights instruments, and their protection;

4. Takes into account the Bangkok Declaration wherein it is recognized that while human rights are universal in nature, they must be considered in the context of a dynamic and evolving process of international norm-setting, bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds;

5. Reaffirms, in accordance with the Amman workshop conclusions, that all human rights, civil and political, economic, social and cultural, including the right to self-determination of people under colonial or alien domination or foreign occupation, as well as the right of return, are universal, interdependent and indivisible and are legal rights stricto sensu;

6. Recognizes the need to develop strategies for the promotion and progressive realization of the right to development and to eliminate obstacles in this regard;

7. Endorses the conclusions of the fifth workshop, including the recognition of the importance of step-by-step progress towards the establishment of a regional arrangement for the promotion and protection of human rights in the Asian and Pacific region, which must emerge from and be directed to the needs and priorities set by Governments of the region;

8. Welcomes the hosting for the first time of a workshop on regional arrangements for the promotion and protection of human rights in the Asian and Pacific region in West Asia, and recognizes the need to ensure that the issues, concerns and priorities of West Asia will continue to be effectively addressed in future workshops;

9. Also welcomes the invitation of the Islamic Republic of Iran to host the sixth Workshop on Regional Arrangements for the Promotion and Protection of Human Rights in the Asian and Pacific Region in Tehran;

10. Notes that national institutions can make an important contribution to the ongoing process of developing regional human rights arrangements in the Asian and Pacific region, including in areas such as human rights education, mutual cooperation and information sharing and welcomes, in this respect, the establishment of the Asia-Pacific Forum of National Human Rights Institutions;

11. Also notes the contribution of representatives of non-governmental organizations and national human rights institutions in these workshops;

12. Further notes that the Asian and Pacific countries have developed a number of models of national institutions in accordance with their own national conditions and welcomes the establishment, in this regard, of a national commission of human rights by the Government of Sri Lanka;

13. Requests the Secretary-General to facilitate the realization of that activity under the regular budget of the United Nations for the programme of advisory services and technical assistance in the field of human rights;

14. Encourages all States in the Asian and Pacific region to consider further the establishment of regional arrangements for the promotion and protection of human rights, taking into consideration the conclusions of the fifth workshop;

15. Also encourages all Governments in the Asian and Pacific region to consider making use of the facilities offered by the United Nations, under the programme of advisory services and technical assistance for the promotion and protection of human rights, to further strengthen national human rights capacities;

16. Requests the Secretary-General to give adequate attention to the countries of the Asian and Pacific region by allocating more resources from existing United Nations funds to enable the countries of the region to benefit from all the activities under the programme of advisory services and technical assistance in the field of human rights and recognizes the contribution of the technical cooperation programme of the Centre for Human Rights in facilitating the development of regional arrangements and other technical cooperation activities in the region;

17. Encourages all States members and associate members of the Economic and Social Commission for Asia and the Pacific and other parties to make full use of the depository centre of the Commission, and requests the Secretary-General to maintain a continuing flow of human rights material to its library;

18. Stresses that the regional cooperation programme could, inter alia, focus upon the request of Governments concerned, on strengthening the role of national human rights institutions in promoting the progressive realization of economic, social and cultural rights, realizing the right to development, developing methodologies for effective implementation of human

rights education, elaborating guidelines for national action plans in the field of human rights, and developing strategies for cooperation on common problems, which should be implemented by drawing upon the expertise within the region to the fullest extent;

19. Also stresses, in accordance with the conclusions of the Amman workshop, that the technical cooperation programme activities should not be amalgamated with the United Nations human rights monitoring activities;

20. Requests the Secretary-General and the United Nations Development Programme to support this regional technical cooperation initiative and to provide resources for its implementation;

21. Also requests the Secretary-General, in accordance with the conclusions of the fifth workshop, to establish an open-ended team comprised of representatives of interested Governments of the region and, in consultation with the Centre for Human Rights, national institutions and non-governmental organizations, to:

(a) Ensure the effective preparation of the next workshop;

(b) Design a regional technical cooperation programme to facilitate the development of regional arrangements;

22. Calls upon the Centre for Human Rights to provide specific information on programmes available under the Voluntary Fund for Technical Cooperation in the Field of Human Rights, to facilitate better access and fuller utilization of these programmes by all countries in the Asian and Pacific region;

23. Encourages States in the Asian and Pacific region to request assistance for such purposes as regional and subregional workshops, seminars and information exchanges designed to strengthen regional cooperation for the promotion and protection of human rights to assist in the development of regional arrangements;

24. Also encourages the ratification, by all States, of international human rights instruments, particularly the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights;

25. Further encourages all States and regional and subregional organizations in the Asian and Pacific region to develop programmes for human rights education in that region;

26. Requests the Secretary-General to submit to the Commission at its fifty-fourth session a further report incorporating information on the progress achieved in the implementation of the present resolution;

27. Decides to continue its consideration of the question at its fifty-fourth session under the agenda item entitled "Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission".